

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 4:09-CR-35-F1

UNITED STATES OF AMERICA)
)
)
v.)
)
YADIRA AVILEZ-LOPEZ,)
 Defendant.)

O R D E R

This matter is before the court on the Defendant's letter motion [DE-29] requesting modification of her inmate responsibility payments. As part of Lopez's judgment, the court ordered payment of a \$6,300 fine to be "due immediately." Judgment [DE-22]. Because Lopez was not able to pay immediately, the Bureau of Prisons set a payment schedule through the inmate financial responsibility program. Because Lopez "challenges the implementation of the [fine] portion of [her] sentence," her letter motion must be construed as a petition for habeas corpus relief under 28 U.S.C. § 2241. *United States v. Gripper*, 224 F. App'x 219, 220 (4th Cir. 2012). A § 2241 petition for habeas corpus relief must be brought in the district where the prisoner is incarcerated. *Id.* Because Lopez is not incarcerated in this district, her letter motion is DENIED without prejudice to file a § 2241 petition in the appropriate district court. The court concludes it would not serve the interests of justice for the court to transfer this motion to the proper federal district court.

SO ORDERED.

This the 10th day of February, 2014.

James C. Fox
JAMES C. FOX
Senior United States District Judge